

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by REPRESENTATIVE ROBERT D. "Bob" MILLER at  
Chairperson

1:38 a.m./p.m. on MARCH 1, 1989 in room 521-S of the Capitol.

All members were present except:

Representative Baker, excused  
Representative Williams, excused  
Representative Sawyer, absent

Committee staff present:

Mike Heim, Legislative Research Dept.  
Theresa Kiernan, Revisor of Statutes' Office  
Connie Smith, Committee Secretary

Conferees appearing before the committee:

Ron Cousino, Johnson County's Director of Finance

Chairman Miller called for hearings on House Bill 2430 - Act concerning counties; relating to the publication of certain notices; relating to protest periods.

Ron Cousino testified in support of HB 2430 which makes changes dealing with the uniformity of publications on bond issues and also allows uniformity of public protest periods. (Attach. I)

Discussion followed.

Bev Bradley testified in support of Johnson Counties efforts to make uniform many statutes dealing with protest periods and publication notices. (Attach. II)

No questions.

Hearing closed on HB 2430.

Chairman Miller turned the Committee's attention to HB 2273.

Chairman Miller asked for discussion or motion on the bill.

Theresa Kiernan explained the amendments which would add Doniphan County to lines 16 and 22. On line 16 after convey, insert "certain lands" and in line 25 add clean-up language, "person or persons claiming such tract under color of title".

Discussion followed.

A motion was made by Representative Bowden and seconded by Representative Reinhardt to amend the bill. The motion carried.

There was no discussion on the bill as amended.

A motion was made by Representative Bowden and seconded by Representative McClure to pass HB 2273 as amended. The motion carried.

Chairman Miller turned the Committee's attention to HB 2390.

Theresa Kiernan briefed the Committee on HB 2390. It was requested by Johnson Co. and amends the bond law; provides notice of the days when bonds are going to be sold instead of giving a specific day. They want to give a time period in which the bonds could be sold, which includes a time period of not less than 7 days and not more than 30 days.

Discussion followed.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

room 521-S, Statehouse, at 1:38 a/m./p.m. on MARCH 1, 1989

A motion was made by Representative Turnbaugh and seconded by Representative Brown to pass HB 2390 favorably. The motion carried.

Chairman Miller turned the Committee's attention to HB 2475 and asked for any discussion.

Mike Heim gave a review of HB 2475 which relates to the recovery of costs by cities after the removal or abatement of nuisances. He stated the bill addresses the effectiveness of the lien and the time period in which the lien is filed. The bill states, if the lien is not registered with the Register of Deeds within 10 days of the expiration date of the 30 day payment period, the city loses the lien right.

Mr. Heim said another way of stating the new language is, at the date of the sale, all liens are forgiven.

There were objections expressed by Representative Patrick over the language in the bill. The Chairman indicated that further discussion and action on the bill would be delayed until the bill sponsor, Representative Graeber was present.

Chairman Miller turned the Committee's attention to HB 2429.

Chairman Miller stated he would like to offer an amendment, on line 22 strike out the words "with or" and immediately following compensation on line 22 insert the words "other than reimbursement for reasonable expenses". Chairman Miller gave an explanation for his amendment to the Committee.

A motion was made by Representative Miller and seconded by Representative Reinhardt to add the amendment. Extensive discussion followed. Motion carried.

A motion was made by Representative Brown and seconded by Representative Johnson to pass HB 2429 as amended. The motion carried.

Chairman Miller turned the Committee's attention back to HB 2475 as Representative Graeber, sponsor of the bill, was present.

Staff explained the bill and what the bill actually does.

A conceptual motion to cut off the lien right but not the right to sue the person individually was made by Representative Patrick and seconded by Representative Graeber. Discussion followed. Motion carried.

A motion was made by Representative Reinhardt and seconded by Representative Graeber to pass favorably HB 2475 as amended. The motion carried.

Chairman Miller passed out written testimony that was received late from Dave Wolfram, who testified on HB 2281 on February 21, 1989. Also Paul Howard furnished additional written testimony on HB 2476 which was heard on February 27, 1989. Written testimony is filed by hearing date.

Meeting adjourned at 2:35 p.m.



House Local Government Committee

Hearing on HB 2430

Date of Testimony: March 1, 1989

Testimony of Ron Cousino, Johnson County's Director of Finance, on behalf of the Board of Commissioners of Johnson County.

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Mr. Chairman, members of the Committee, I wish to express my gratitude for extending me the opportunity to speak in support of HB 2430.

HB 2430 makes changes to the current statutes by requiring a uniform number of publications and a uniform public protest period. This bill will amend the existing statutes to require two publications for all bond sales. These publications are to be made within a period of two consecutive weeks. It will also provide that the time period of thirty (30) days for a protest petition to be filed on any proposed sale of bonds.

While maintaining a sound public policy of giving notification and due process for protest, the issue of uniformity will allow an advantage of combining various types of bond issues into one bond sale. It will also allow for a more efficient administrative structure for the selling of bonds.

We encourage your support for these changes.

On behalf of the Board of County Commissioners, I wish to thank you for your consideration of proposals.

3-1-89  
Attack. I



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**TESTIMONY**

**MARCH 1, 1989**

**TO: Representative R. D. Miller, Chairman  
Members House Local Government Committee**

**FROM: Bev Bradley, Legislative Coordinator  
Kansas Association of Counties**

**RE: HB-2430 making uniform certain publication notices  
and protest periods**

The Kansas Association of Counties supports Johnson County in their efforts to make uniform, many statutes dealing with protest periods and publication notices. Our convention adopted policy says, "We support amending the bond laws to require two publications and allowing a protest period of 30 days after the date of the final publication. The existing statutes are inconsistent as to the length of protest periods, running from 30 to 60 days and as to the number of publications required." The change outlined in this bill would standardize the bond laws in these two areas and eliminate confusion on the legal requirements. We would urge the committee to report HB-2430 favorably for passage.

*3-1-89  
Altack, II*